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Congress of the United States  
House of Representatives  
Washington, DC 20515

February 13, 2009

COMMITTEE ON ARMED SERVICES  
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The Honorable Robert M. Gates  
Secretary of Defense  
The Pentagon  
Washington, D.C. 20301-1000

Dear Mr. Secretary:

We are writing to express our concern about recent reports that the Department of Defense has awarded KBR a \$35.4 million contract that includes major electrical projects and request that you review the contract award and report to us explaining why the contract award was made to KBR, given its long record of deficient electrical work in Iraq.

As you are aware, KBR has held a contract for building maintenance for U.S. military facilities in Iraq since 2003. During this time, there have been numerous investigations into the dangers KBR's faulty electrical work is creating for our military personnel. The Department of Defense Inspector General is currently investigating the electrocution deaths of 18 Americans (16 soldiers and 2 contractors) in KBR-maintained facilities. KBR is under criminal investigation for the electrocution deaths of several U.S. soldiers in Iraq. The House Committee on Oversight and Government Reform conducted an in-depth investigation into the problem of electrocutions in U.S. facilities in Iraq and the death of Staff Sgt. Ryan Maseth, 24, a decorated Green Beret electrocuted in his shower on January 2, 2008. The Committee's investigation showed that KBR was alerted to the deficiencies in this and other cases, but failed to take corrective action. In 2008, the Defense Contract Management Agency (DCMA) issued a "Level III Corrective Action Request" to KBR, indicating that the contractor was in "serious non-compliance." This action request, the final warning before a contract is terminated, points to KBR's continuing failure to ensure electrical safety for our troops. With this history, it is not surprising that Capt. David J. Graff, commander of the DCMA's International Division, was quoted in an Associated Press article, stating that "many within DOD have lost or are losing all remaining confidence in KBR's ability to successfully and repeatedly perform the required electrical support services mission in Iraq."

Despite these serious, ongoing concerns, the Department of Defense has awarded KBR a new contract that includes the type of work that KBR failed to perform adequately for years. Threats to the safety and lives of soldiers or others because of known hazards and negligent performance of work are not acceptable.

We would therefore appreciate a thorough review of the recent contract award to KBR. At the very least, when our soldiers put their lives on the line for us in a war zone, we not only owe them the assurance that they will not be electrocuted in the shower on their return from a mission, but also that those who provide them with services put our soldiers' safety ahead of their profits.

Thank you for your consideration, and we look forward to your response.

Sincerely,

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